

# SENATE BILL 802

F2

9lr1758  
CF HB 710

---

By: **Senators Klausmeier, Colburn, Dyson, Jacobs, Mooney, Rosapepe, and Stone Stone, and Harris**

Introduced and read first time: February 6, 2009

Assigned to: Education, Health, and Environmental Affairs

---

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 24, 2009

---

## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Higher Education – Edward T. Conroy ~~Tuition Waiver Program~~**  
3 **~~Establishment~~ Memorial Scholarship Program – Alterations**

4 FOR the purpose of ~~repealing the Edward T. Conroy Memorial Scholarship Program~~  
5 ~~and establishing the Edward T. Conroy Tuition Waiver Program that provides a~~  
6 ~~certain waiver of tuition and mandatory fees at public institutions of higher~~  
7 ~~education in the State for certain members of the armed forces, prisoners of~~  
8 ~~war, public safety employees, veterans, and certain spouses and children;~~  
9 ~~providing a certain waiver of tuition and mandatory fees for certain survivors of~~  
10 ~~Maryland residents killed in certain terrorist attacks; exempting a recipient~~  
11 ~~from repaying certain amounts; providing for the duration of the waiver;~~  
12 ~~defining certain terms; and generally relating to the establishment of the~~  
13 ~~Edward T. Conroy Tuition Waiver Program.~~ authorizing certain persons to  
14 apply to certain postsecondary institutions for the Edward T. Conroy Memorial  
15 Scholarship Program rather than to the Office of Student Financial Assistance  
16 in the Maryland Higher Education Commission; authorizing certain  
17 postsecondary institutions to determine eligibility for the scholarships;  
18 requiring certain postsecondary institutions to report to the Commission by  
19 certain dates the number of eligible recipients for the scholarships; requiring  
20 the Commission to allocate funds to certain postsecondary institutions for  
21 eligible recipients; prohibiting the Office of Student Financial Assistance from  
22 awarding initial scholarships after a certain date; authorizing the Office to  
23 renew scholarships if the initial application occurred prior to a certain date; and  
24 generally relating to the Edward T. Conroy Memorial Scholarship Program.

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, without amendments,  
 2 Article – Education  
 3 Section 18–601(a), (c), and (f)  
 4 Annotated Code of Maryland  
 5 (2008 Replacement Volume)

6 BY repealing and reenacting, with amendments,  
 7 Article – Education  
 8 Section 18–601(b), (d), (g), and (h)  
 9 Annotated Code of Maryland  
 10 (2008 Replacement Volume)

11 BY adding to  
 12 Article – Education  
 13 Section 18–601(g)  
 14 Annotated Code of Maryland  
 15 (2008 Replacement Volume)

16 ~~BY repealing~~  
 17 ~~Article – Education~~  
 18 ~~Section 18–601~~  
 19 ~~Annotated Code of Maryland~~  
 20 ~~(2008 Replacement Volume)~~

21 ~~BY adding to~~  
 22 ~~Article – Education~~  
 23 ~~Section 15–106.7~~  
 24 ~~Annotated Code of Maryland~~  
 25 ~~(2008 Replacement Volume)~~

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 27 MARYLAND, That ~~Section(s) 18–601 of Article – Education of the Annotated Code of~~  
 28 ~~Maryland be repealed.~~

29 ~~SECTION 2. AND BE IT FURTHER ENACTED, That~~ the Laws of Maryland  
 30 read as follows:

31 **Article – Education**

32 18–601.

33 (a) (1) In this section the following words have the meanings indicated.

34 (2) “Disabled public safety employee” means a State or local public  
 35 safety employee who sustains an injury in the line of duty that:

36 (i) Precludes the individual from continuing to serve or be  
 37 employed as a State or local public safety employee; and

1                   (ii) In the case of a volunteer member of a fire department or  
2 ambulance or rescue company or squad, precludes the member from continuing to be  
3 employed in the nonpublic safety occupation in which the member is engaged at the  
4 time of the injury.

5                   (3) “Surviving spouse” means a person who has not remarried.

6                   (4) “State or local public safety employee” means a person who is:

7                   (i) A career or volunteer member of a:

8                           1. Fire department;

9                           2. Ambulance company or squad; or

10                          3. Rescue company or squad;

11                   (ii) A law enforcement officer;

12                   (iii) A correctional officer; or

13                   (iv) A member of the Maryland National Guard who was a  
14 resident of this State at the time of death.

15                   (5) “Victim of the September 11, 2001 terrorist attacks” means a  
16 Maryland resident who was killed as a result of the attacks on the World Trade Center  
17 in New York City, the attack on the Pentagon in Virginia, or the crash of United  
18 Airlines Flight 93 in Pennsylvania.

19                   (b) There is a program of scholarships that are awarded **BY ELIGIBLE**  
20 **POSTSECONDARY INSTITUTIONS** under this section.

21                   (c) The Program is the Edward T. Conroy Memorial Scholarship Program.

22                   (d) A person may apply to [the Office] **AN ELIGIBLE POSTSECONDARY**  
23 **INSTITUTION** for a scholarship under this section if the person:

24                   (1) Except as provided in item (3)(iii) of this subsection and subsection  
25 (e) of this section, is a resident of Maryland;

26                           (2) (i) Is accepted for admission or enrolled in the regular  
27 undergraduate, graduate or professional program at an eligible institution; or

28                           (ii) Is enrolled in a 2–year terminal certificate program in which  
29 the course work is acceptable for transfer credit for an accredited baccalaureate  
30 program in an eligible institution; and



1           (f)     A scholarship awarded under this section:

2                   (1)     May be used for the tuition and mandatory fees at any eligible  
3 institution; and

4                   (2)     May not:

5                           (i)     Exceed the equivalent annual tuition and mandatory fees of  
6 a resident undergraduate student at the 4-year public institution of higher education  
7 within the University System of Maryland, other than the University of Maryland  
8 University College and University of Maryland, Baltimore, with the highest annual  
9 expenses for a full-time resident undergraduate; and

10                           (ii)    Be less than the lesser of:

11                                   1.     \$3,000; or

12                                   2.     The equivalent annual tuition and mandatory fees of  
13 a resident of the institution attended by the recipient of the scholarship.

14           **(G) (1) EACH POSTSECONDARY INSTITUTION SHALL DETERMINE THE**  
15 **ELIGIBILITY OF PERSONS WHO APPLY TO THE INSTITUTION FOR THE EDWARD**  
16 **T. CONROY MEMORIAL SCHOLARSHIP PROGRAM.**

17                   **(2) FUNDS FOR THE EDWARD T. CONROY MEMORIAL**  
18 **SCHOLARSHIP PROGRAM SHALL BE ALLOCATED BY THE COMMISSION TO EACH**  
19 **POSTSECONDARY INSTITUTION BASED ON THE NUMBER OF ELIGIBLE**  
20 **RECIPIENTS ATTENDING EACH INSTITUTION.**

21                   **(3) IN OCTOBER AND FEBRUARY OF EACH YEAR, EACH**  
22 **POSTSECONDARY INSTITUTION SHALL REPORT TO THE COMMISSION THE**  
23 **NUMBER OF ELIGIBLE RECIPIENTS ATTENDING THE INSTITUTION.**

24                   **(4) THE COMMISSION SHALL ALLOCATE FUNDS FOR AWARDS TO**  
25 **POSTSECONDARY INSTITUTIONS UPON VERIFICATION OF ELIGIBLE RECIPIENTS**  
26 **ATTENDING THE INSTITUTIONS.**

27                   **(5) IF FUNDS CANNOT BE ALLOCATED IN THE FISCAL YEAR IN**  
28 **WHICH AWARDS ARE MADE, PRIORITY SHALL BE GIVEN TO ALLOCATING FUNDS**  
29 **FOR THOSE AWARDS IN THE FOLLOWING FISCAL YEAR.**

30           **[(g)] (H) (1) Each recipient of a scholarship under this section may hold**  
31 **the award for 5 years of full-time study or 8 years of part-time study.**

1           (2) [The Office may not award more than 15 scholarships annually]  
 2 THE NUMBER OF ELIGIBLE RECIPIENTS under subsection (d)(3)(v) of this section  
 3 SHALL BE LIMITED TO 15 EACH YEAR.

4           (3) An award provided under subsection (d)(3)(vi) of this section may  
 5 not exceed the amount specified in subsection (f)(2) of this section when combined with  
 6 any other scholarship received by a student based on the student's status as a child or  
 7 spouse of a victim of the September 11, 2001 terrorist attacks.

8           [(h)] (I)     The Commission:

9           (1) May accept any gift or grant from any person for the Edward T.  
 10 Conroy Scholarship Fund;

11          (2) Shall use any gift or grant that it receives for a scholarship from  
 12 the Program; and

13          (3) Shall deposit any gift or grant that it receives for the Program with  
 14 the State Treasurer in a nonbudgeted account.

15 ~~15-106.7.~~

16          ~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE~~  
 17 ~~MEANINGS INDICATED.~~

18          ~~(2) "DISABLED PUBLIC SAFETY EMPLOYEE" MEANS A STATE OR~~  
 19 ~~LOCAL PUBLIC SAFETY EMPLOYEE WHO SUSTAINS AN INJURY IN THE LINE OF~~  
 20 ~~DUTY THAT:~~

21                 ~~(I) PRECLUDES THE PERSON FROM CONTINUING TO SERVE~~  
 22 ~~OR BE EMPLOYED AS A STATE OR LOCAL PUBLIC SAFETY EMPLOYEE; AND~~

23                 ~~(II) IN THE CASE OF A VOLUNTEER MEMBER OF A FIRE~~  
 24 ~~DEPARTMENT OR AMBULANCE OR RESCUE COMPANY OR SQUAD, PRECLUDES~~  
 25 ~~THE MEMBER FROM CONTINUING TO BE EMPLOYED IN THE NONPUBLIC SAFETY~~  
 26 ~~OCCUPATION IN WHICH THE MEMBER IS ENGAGED AT THE TIME OF THE INJURY.~~

27          ~~(3) "STATE OR LOCAL PUBLIC SAFETY EMPLOYEE" MEANS A~~  
 28 ~~PERSON WHO IS:~~

29                 ~~(I) A CAREER OR VOLUNTEER MEMBER OF:~~

30                         ~~1. A FIRE DEPARTMENT;~~

31                         ~~2. AN AMBULANCE COMPANY OR SQUAD; OR~~

1                   ~~3. A RESCUE COMPANY OR SQUAD;~~

2                   ~~(II) A LAW ENFORCEMENT OFFICER;~~

3                   ~~(III) A CORRECTIONAL OFFICER; OR~~

4                   ~~(IV) A MEMBER OF THE MARYLAND NATIONAL GUARD WHO~~  
5 ~~WAS A RESIDENT OF THIS STATE AT THE TIME OF DEATH.~~

6                   ~~(4) "SURVIVING SPOUSE" MEANS A PERSON WHO HAS NOT~~  
7 ~~REMARRIED.~~

8                   ~~(5) (I) "TUITION" MEANS THE CHARGES IMPOSED BY A PUBLIC~~  
9 ~~INSTITUTION OF HIGHER EDUCATION FOR ENROLLMENT AT THE INSTITUTION.~~

10                   ~~(II) "TUITION" INCLUDES CHARGES FOR REGISTRATION~~  
11 ~~AND ALL FEES REQUIRED AS A CONDITION OF ENROLLMENT.~~

12                   ~~(6) "VICTIM OF THE SEPTEMBER 11, 2001, TERRORIST ATTACKS"~~  
13 ~~MEANS A MARYLAND RESIDENT WHO WAS KILLED AS A RESULT OF THE ATTACKS~~  
14 ~~ON THE WORLD TRADE CENTER IN NEW YORK CITY, THE ATTACK ON THE~~  
15 ~~PENTAGON IN VIRGINIA, OR THE CRASH OF UNITED AIRLINES FLIGHT 93 IN~~  
16 ~~PENNSYLVANIA.~~

17                   ~~(B) THERE IS AN EDWARD T. CONROY TUITION WAIVER PROGRAM~~  
18 ~~UNDER THIS SECTION.~~

19                   ~~(C) EXCEPT AS PROVIDED IN SUBSECTION (D)(1) OF THIS SECTION, A~~  
20 ~~PERSON IS EXEMPT FROM PAYING TUITION AT A PUBLIC INSTITUTION OF~~  
21 ~~HIGHER EDUCATION IF THE PERSON:~~

22                   ~~(1) EXCEPT AS PROVIDED IN ITEM (3)(III) OF THIS SUBSECTION,~~  
23 ~~IS A RESIDENT OF MARYLAND;~~

24                   ~~(2) (I) IS ACCEPTED FOR ADMISSION OR ENROLLED IN A~~  
25 ~~REGULAR UNDERGRADUATE PROGRAM AT AN ELIGIBLE INSTITUTION; OR~~

26                   ~~(II) IS ENROLLED IN A 2-YEAR TERMINAL CERTIFICATE~~  
27 ~~PROGRAM IN WHICH THE COURSE WORK IS ACCEPTABLE FOR TRANSFER CREDIT~~  
28 ~~TO AN ACCREDITED BACCALAUREATE PROGRAM IN AN ELIGIBLE INSTITUTION;~~  
29 ~~AND~~

30                   ~~(3) (I) IS AT LEAST 16 YEARS OLD AND A SON OR DAUGHTER OF~~  
31 ~~A MEMBER OF THE ARMED FORCES WHO:~~

1 ~~1. DIED AS A RESULT OF MILITARY SERVICE AFTER~~  
2 ~~DECEMBER 7, 1941;~~

3 ~~2. SUFFERED A SERVICE CONNECTED, 100%~~  
4 ~~PERMANENT DISABILITY AFTER DECEMBER 7, 1941; OR~~

5 ~~3. WAS DECLARED TO BE A PRISONER OF WAR OR~~  
6 ~~MISSING IN ACTION, IF THAT OCCURRED ON OR AFTER JANUARY 1, 1960, AS A~~  
7 ~~RESULT OF THE VIETNAM CONFLICT, AND IF THE CHILD WAS BORN PRIOR TO OR~~  
8 ~~WHILE THE PARENT WAS A PRISONER OF WAR OR MISSING IN ACTION;~~

9 ~~(II) WAS A PRISONER OF WAR ON OR AFTER JANUARY 1,~~  
10 ~~1960, AS A RESULT OF THE VIETNAM CONFLICT AND WAS A RESIDENT OF THIS~~  
11 ~~STATE AT THE TIME THE PERSON WAS DECLARED TO BE A PRISONER OF WAR OR~~  
12 ~~MISSING IN ACTION;~~

13 ~~(III) 1. A. IS AT LEAST 16 YEARS OLD AND A SON OR~~  
14 ~~DAUGHTER OF ANY STATE OR LOCAL PUBLIC SAFETY EMPLOYEE KILLED IN THE~~  
15 ~~LINE OF DUTY; OR~~

16 ~~B. IS THE SURVIVING SPOUSE OF ANY STATE OR~~  
17 ~~LOCAL PUBLIC SAFETY EMPLOYEE KILLED IN THE LINE OF DUTY; AND~~

18 ~~2. IS A RESIDENT OF ANY STATE;~~

19 ~~(IV) 1. IS A DISABLED PUBLIC SAFETY EMPLOYEE;~~

20 ~~2. IS AT LEAST 16 YEARS OLD AND A SON OR~~  
21 ~~DAUGHTER OF A DISABLED PUBLIC SAFETY EMPLOYEE WHO SUSTAINS AN~~  
22 ~~INJURY IN THE LINE OF DUTY THAT RENDERS THE PUBLIC SAFETY EMPLOYEE~~  
23 ~~100% DISABLED; OR~~

24 ~~3. IS THE SURVIVING SPOUSE OF A DISABLED~~  
25 ~~PUBLIC SAFETY EMPLOYEE WHO SUSTAINS AN INJURY IN THE LINE OF DUTY~~  
26 ~~THAT RENDERS THE PUBLIC SAFETY EMPLOYEE 100% DISABLED;~~

27 ~~(V) IS A VETERAN, AS DEFINED UNDER § 9-901 OF THE~~  
28 ~~STATE GOVERNMENT ARTICLE, WHO:~~

29 ~~1. SUFFERS A SERVICE CONNECTED DISABILITY OF~~  
30 ~~25% OR GREATER; AND~~

31 ~~2. HAS EXHAUSTED OR IS NO LONGER ELIGIBLE FOR~~  
32 ~~FEDERAL VETERANS' EDUCATIONAL BENEFITS; OR~~

1 ~~(VI) IS AT LEAST 16 YEARS OLD AND A SON OR DAUGHTER~~  
2 ~~OR THE SURVIVING SPOUSE OF A VICTIM OF THE SEPTEMBER 11, 2001,~~  
3 ~~TERRORIST ATTACKS.~~

4 ~~(D) (1) IF A RECIPIENT OF A TUITION WAIVER UNDER THIS SECTION~~  
5 ~~RECEIVES A SCHOLARSHIP OR GRANT FOR POSTSECONDARY STUDY AND IS~~  
6 ~~ENROLLED AS A CANDIDATE FOR AN ASSOCIATE'S DEGREE OR BACHELOR'S~~  
7 ~~DEGREE AT A PUBLIC INSTITUTION OF HIGHER EDUCATION, THE RECIPIENT~~  
8 ~~MAY NOT BE REQUIRED TO PAY THE DIFFERENCE BETWEEN THE AMOUNT OF~~  
9 ~~THE SCHOLARSHIP OR GRANT AND THE AMOUNT OF THE TUITION.~~

10 ~~(2) A RECIPIENT WHO IS EXEMPT FROM TUITION UNDER THIS~~  
11 ~~SECTION CONTINUES TO BE EXEMPT UNTIL THE EARLIER OF:~~

12 ~~(I) 5 YEARS AFTER FIRST ENROLLING AS A CANDIDATE FOR~~  
13 ~~AN ASSOCIATE'S DEGREE OR A BACHELOR'S DEGREE AT A PUBLIC INSTITUTION~~  
14 ~~OF HIGHER EDUCATION IN THE STATE; OR~~

15 ~~(II) THE DATE THAT THE RECIPIENT IS AWARDED A~~  
16 ~~BACHELOR'S DEGREE.~~

17 SECTION 2. AND BE IT FURTHER ENACTED, That the Office of Student  
18 Financial Assistance in the Maryland Higher Education Commission may not award  
19 an initial scholarship or grant under the student financial assistance programs  
20 specified in Section 1 of this Act after June 30, 2010. The office may renew a  
21 scholarship or grant after June 30, 2010, if the individual received an initial  
22 scholarship or grant before that date.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 July October 1, 2009.

Approved:

\_\_\_\_\_  
Governor.

\_\_\_\_\_  
President of the Senate.

\_\_\_\_\_  
Speaker of the House of Delegates.